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de Wilde, J.H.

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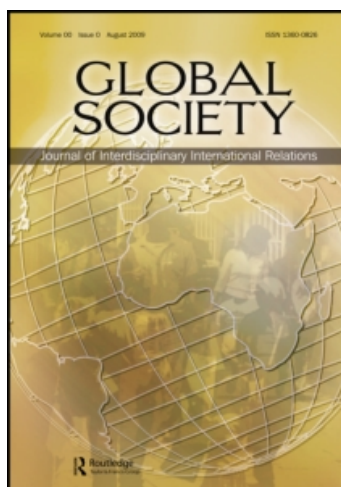
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Jaap H. De Wilde

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## Orwellian Risks in European Conflict Prevention Discourse

JAAP H. DE WILDE

*Conflict prevention has been the nomenclature of a non-military type of security policy, but that is changing. During the Cold War, the OSCE was a forum for conflict prevention at an interstate level. After the Cold War, OSCE conflict prevention turned to domestic affairs, comparable to NGO activities. This practice tends to be overshadowed by the EU. The EU has turned conflict prevention into an aspect of the ESDP. This practice competes with the way in which NATO includes conflict prevention. By developing conflict prevention beyond the context of the UN Security Council, and by adding a military dimension to it, conflict prevention can easily become an offensive intervention policy serving self-interested power politics, or mixed motives at the least. Moreover, non-military forms of conflict prevention politics are problematic too. They run the risk of burning in a hell of good intentions. Thus, the development of the conflict prevention discourse should be followed with scepticism.*

### Introduction

After the Second World War, war departments disappeared. 'Defence' fitted the spirit of the age much better. Fifty five million deaths in about seven years, or, if one follows the growing practice to treat the two world wars together as the Thirty Years War of the Twentieth Century (1914–1945), about 70 million deaths within thirty years had been enough.<sup>1</sup> Violence itself had become the enemy. Following the First World War, in 1919, wars of aggression were banned from the diplomatic toolbox. War in self-defence was the only legitimisation left to conduct military campaigns. As a consequence, from then on military affairs were run by defence departments. The frequency of warfare, however, did not change. The change was mainly discursive, reflecting changes in the societal perception of the legitimate use of violence. Why would the development of such a linguistic reflection of social reality stop here? What will we call our ministries of war in, say, fifty years from now? Are we witnessing a discursive turn in the present debate about conflict prevention, humanitarian intervention and the 'responsibility to

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1. Most sources mention 55–57 million deaths for the Second World War (about 19 million military and 36–38 million civilian deaths); estimates for the First World War show more variation, especially in calculating the civilian death toll: 8.5–9.4 million military casualties and 5–13 million civilian deaths. I follow Matthew White's figures of 15 million overall for the First World War and, 55 million overall for the Second World War: <<http://users.erols.com/mwhite28/20centry.htm>>

protect'? Will this lead us to a new denominator under which the military can continue its old profession? Can we welcome departments of conflict prevention in the future, and will we turn our 'defensive capacities' into 'conflict prevention capacities'? Would such a development be Orwellian? (In George Orwell's 1984 the Ministry of Love is an institute for brainwashing dissidents by torture in order to cure them from the thoughts that blind them from their love of the state.) Or are we witnessing the linguistic reflection of a gradual process of civilisation in which humanity is increasing its distance from the Stone Age, during which the echo of the Hobbesian state of nature must have been quite loud?

### The CSCE as a Type of Conflict Prevention

Not all attempts to change the discourse of war succeed. During the Cold War, people, especially in peace research circles, looked pityingly at the USAF Strategic Air Command's motto: 'Peace is our profession'. However, the metamorphosis of war departments into defence departments is global. At their independence, the decolonised peoples not merely accepted their colonial borders, they also copied Western administrative jargon. Nowhere on earth can a ministry of war still be found. 'Defence' also fitted the spirit of the dynamic stalemate in the Cold War. After the Cuban missile crisis (1962) the bipolar status quo was accepted and the discourse of war concentrated mainly on the edges of a 'credible deterrence', 'windows of vulnerability', 'proxy wars' (indirect warfare between the superpowers, using Third World terrain and actors), 'détente', 'arms control', and the like.<sup>2</sup>

The North Atlantic Treaty Organisation (NATO) and its counterpart the Warsaw Treaty Organisation became the symbols of deterrence, the Conference on Security and Cooperation in Europe (CSCE) the symbol of détente. NATO was most creative with language. *Forward defence* is a beautiful synonym of 'attack'; for obvious reasons they did not want to fight a war in Western Germany, hence the battleground had to be moved to Poland at the least. The strategy of a *flexible response* is a euphemism likewise: the aim sanctions the (offensive) means. The CSCE offered some counterbalance.

The CSCE, with its roots in the *OstPolitik* of the West German socialist party, the SPD, and the subsequent 'Helsinki process', created an atmosphere in which East and West could quarrel politely, like sensible neighbours do about the location of the garden fence, the volume of the stereo equipment and audible child abuse. Human rights, economic exchange and arms control were put on the agenda, aiming at 'confidence building measures'.

The implicit analysis behind the CSCE was that enmity and fear were embedded in the structure of the international system: in face of international anarchy, states cannot and are not allowed to trust each other, but in face of the high level of interdependence they cannot and are not allowed to neglect each other either. 'Fear' is the key issue. In his recent update of Realism, John J. Mearsheimer fully acknowledges this analysis: "(...) the structure of the international system forces states which seek only to be secure nonetheless to act

2. Estimates of Cold War casualties cannot be found in libraries or on the web (but, à la Blix, it is easier to be sure if you finally find what you look for than if you still have not found it). Data about the Korean War, the Vietnam War, the Soviet-Afghan war etc. are there, but so far major sites about war statistics have not categorised them under one heading: the Cold War – a myth in the making?

aggressively ( . . . ) states can never be certain about other states' intentions. Given this fear – which can never be wholly eliminated – states recognise that the more powerful they are relative to their rivals, the better their chances for survival. Indeed, the best guarantee of survival is to be a hegemon, because no other state can seriously threaten such a mighty power."<sup>3</sup>

States have no choice but to prepare for the worst (the lesson of the Second World War), but in doing this, a *self-fulfilling prophecy* emerges that allows the worst to happen (the lesson of the First World War). The Helsinki process aimed to break through this negative spiral by limiting the causes of mutual fear and by building mutual confidence in its stead.

This turned the CSCE as such into a type of conflict prevention. The pinnacle of its development was the signing of the 'Charter for a New Europe' in Paris by 34 states on 21 November 1990. The Charter is the peace treaty of the Cold War – a war that according to some readings had begun as early as in 1917, and which had European, Russian and American politics worldwide in a hold from 1945 until 1989 when the Wall was demolished. The Cold War was sealed in the language of the CSCE discourse: arms control, economic cooperation, human rights. How crucial this was we shall never know, but in my opinion its meaning is generally underestimated, especially in defence circles, where President Ronald Reagan's 'victory' in the arms race receives most weight in explaining the end of the Cold War. The Final Act of Helsinki, signed on 1 August 1975, had triggered an institutional setting allowing dialogue. Ten years later, this helped the reformers around Mikhail Gorbachev to design the framework of a common 'European House'.<sup>4</sup> Whether they really believed in it does not matter. What mattered is that ten years of CSCE made it credible. The CSCE channelled like-minded people in East and West into a coherent discourse in which prevention of a new all-out war of annihilation in Europe was the banner which they followed.

In 1990, the CSCE seemed rewarded for its useful function. It was decided to intensify its institutionalisation: The Ministers of Foreign Affairs would gather twice a year; the Heads of State and Government would organise follow-up conferences biannually, prepared by a Committee of Senior Officials; in 1991 a parliamentary assembly for the CSCE was created in Budapest; a Conflict Prevention Centre (CPC) was established in Vienna, as well as an Office of Free Elections (OFE – in 1992 replaced by the Office for Democratic Institutions and Human Rights, ODIHR) in Warsaw and a permanent Secretariat in Prague. Two years later the CSCE declared itself a regional organisation under Chapter VIII of the UN Charter. It created the position of High Commissioner on National Minorities (HCNM), a Secretary General and an alternating Chairman-in-Office. In 1994, moreover, the *Conference on Security and Cooperation in Europe* was turned into an *Organisation for Security and Cooperation in Europe*, the OSCE.<sup>5</sup>

3. John J. Mearsheimer, *The Tragedy of Great Power Politics*, (New York: W.W. Norton, 2001), p. 3. See also: Jaap H. De Wilde, "De mondialisering van de Monroe Doctrine" ["The Globalisation of the Monroe Doctrine"], *Internationale Spectator*, Vol. 57, No. 7/8, 2003, pp. 346–352.

4. Ole Wæver, "Europe, State and Nation in the New Middle Ages" in: Jaap H. De Wilde & Håkan Wiberg (eds.), *Organized Anarchy in Europe. The Role of States and Intergovernmental Organizations*, (London: I.B. Tauris, 1996), pp. 107–128.

5. Edwin Bakker & Bert Bomert, *De OVSE en het Nederlands Voorzitterschap in 2003*, (Den Haag: NHC/CICAM, 2002); Robert L. Barry, *The OSCE: A Forgotten Transatlantic Security Organization?*, BASIC, Research Report 2002.3.

Its political prominence, however, was temporary. It disappeared together with the Soviet Union. In 1990, Lithuania declared itself an independent sovereign state, other republics followed, and in December 1991 the Soviet Union disappeared from the political world map. The OSCE belonged to the Cold War order, whereas the new states focussed on membership of NATO, the EEC (the EU did not exist yet), and even the WEU. The OSCE (and the Council of Europe too) played important new roles in the democratisation processes of its new member states, and also developed 'silent diplomacy' into the practice of conflict prevention, but it was in the shadow of the political ambitions in the Central and East European countries (CEE's). OSCE and Council of Europe functioned as stepping stones for the true rewards: NATO and EU membership.

Meanwhile, attention in Europe focussed on Yugoslavia: by the end of May 1991 Slovenia and Croatia had declared their independence, followed by Macedonia and Bosnia Herzegovina, culminating in a series of civil wars. These wars had a substantial impact on the conflict prevention discourse. The perspective jumped from the international to the national dimension of conflict prevention. The United Nations, the United States, NATO and the EU interfered diplomatically but were constantly overtaken by events. Attempts at mediation, lacking a credible military back up, failed one after the other. This led to the conviction that conflict prevention in the end requires military power politics – a dimension the OSCE cannot offer.

When the Conflict Prevention Centre (CPC) started its work, the original assignment was outdated. The intention was to give the CPC supervision over the exchange of military data, such as troop movements and defence budgets, and to give it a modest conflict management function. The CPC's interstate role seems over; the institution is hardly to be found even on the OSCE's website (since 1994, it has become a department in the OSCE's secretariat).

More important for the development of conflict prevention appeared the role of the High Commissioner on National Minorities, in particular the way it was fulfilled by Max van der Stoep. In the wake of his 'silent diplomacy', the OSCE developed a successful non-military form of conflict prevention, aimed at an early resolution of ethnic tensions.<sup>6</sup> Moreover, 81.2% of the (small) OSCE budget is spent on its missions and field activities in former Yugoslavia, Eastern Europe, and Central Asia.<sup>7</sup> The website prominently presents the about twenty OSCE missions.<sup>8</sup> On average, these missions consist of modest monitoring and reporting operations that can bring human rights violations out in the open. Their effectiveness cannot be measured, but seems positive by definition, which cannot be said of all types of conflict prevention. During the Cold War, the CSCE worked to overcome mutual fear and distrust between states, inherent to the international system. After the Cold War, the OSCE, like many NGO's, works at the local and individual level to overcome mutual fear and distrust between groups in society (often including the official authorities). Politically, however, the OSCE is losing terrain to other European organisations.

6. Walter A. Kemp (ed.), *Quiet Diplomacy in Action: The OSCE High Commissioner on National Minorities*, (The Hague/London/Boston: Kluwer Law International, 2001).

7. Based on Bakker & Bomert, *op. cit.*, p. 24.

8. See <[www.osce.org](http://www.osce.org)>

## Conflict Prevention by the European Union

The present trend in OSCE missions concurs with a by now widespread practice of conflict prevention by non-governmental organisations. They approach conflict prevention in fact as a type of community-based development, an attempt to create societal stability and social justice by building up a critical civil society and by democratising politics. It could fit the good governance discourse as well. Conflict prevention in this form is also a type of peace building.<sup>9</sup> In terms of their practical contents, development policies, conflict prevention and peace building are hard to distinguish. The differences exist mainly in their connotation and time frame. Development and good governance are long term while conflict prevention, especially of an interventionist nature, is short term. Peace building focuses on overcoming recent trauma and rebuilding a state infrastructure in the shadow of third party intervention. They function in different discourses and refer to different norms and legitimisation that allow interference in other societies. Conflict prevention is an appealing term in politics. Who could be against it?

Characteristic is the approach of the European Platform for Conflict Prevention and Transformation (based in Utrecht, the Netherlands). This institute uses a broad view of conflict prevention (it does not even define the term in its mission statement), and knows how to exploit the connotations of urgency inherent to the notion. It wrote an EU lobby paper together with the NGO's Saferworld and International Alert, "Preventing Violent Conflict: Priorities for the Swedish and Belgian Presidencies".<sup>10</sup> They scored a success. At the European Council meeting in Gothenburg on June 15–16<sup>th</sup> 2001, the EU adopted the "European Union Programme for the Prevention of Violent Conflicts".<sup>11</sup> The main aim of the lobby was to free means for a bottom-up approach. Apparently, the attempts in the 1960s and 1970s to achieve peace building from below (a common theme in peace research literature) have found a new outlet.<sup>12</sup>

In documents of both the EU and NATO, it is pointed out that the most successful policy of conflict prevention has been the integration process that started during the 1950s in Western Europe and today includes Central and parts of Eastern Europe as well.<sup>13</sup> It can be argued that cities like St. Petersburg, Moscow and Kiev are also involved in the (largely economic) integration process. Democratisation, economic growth and a demilitarised struggle for power in the diplomatic setting of

9. Tor Tanke Holm & Espen Barth Eide (eds.), *Peacebuilding and Police Reform*, (London: Frank Cass, 2000).

10. See <[www.conflict-prevention.net](http://www.conflict-prevention.net)>

11. European Council of Gothenburg, "Conclusions of the Presidency", EU Press Release, 15/06/2001, No. 200/1/01. *EU Programme for the Prevention of Violent Conflicts*, <[www.eu2001.se/static/eng/pdf/violen.PDF](http://www.eu2001.se/static/eng/pdf/violen.PDF)>. The programme was first adopted at the General Affairs Council (June 2001), which reflected on a Communication on Conflict Prevention issued by the EU Commission's Conflict Prevention and Crisis Management Unit (DG External Relations), <[http://europa.eu.int/comm/external\\_relations/cfsp/news/com2001\\_211\\_en.pdf](http://europa.eu.int/comm/external_relations/cfsp/news/com2001_211_en.pdf)>.

12. See for examples of this new outlet: European Centre for Conflict Prevention, *et al.*, *People Building Peace: 35 Inspiring Stories from Around the World*, (European Centre for Conflict Prevention, 1999); Paul van Tongeren & Anneke Galama (eds.), *Towards Better Peacebuilding Practice: On Lessons Learned, Evaluation Practices and Aid & Conflict*, (European Centre for Conflict Prevention, 2002).

13. See: Gothenburg European Council, 15–16 June 2001; Lord Robertson, "Peacekeeping and Conflict Prevention: What Risks and Threats in Geopolitics in the Future?", *NATO On-Line Library*, 13 January 2000.

international organisations have done Europe a world of good. How this will turn out in the coming decades largely depends on the balance in the EU between a fortress Europe logic and initiatives like the European Neighbourhood Policy (ENP).<sup>14</sup>

Conflict prevention, however, was not the denominator of this process. Fear for the return of its own past (the Thirty Years War of the Twentieth Century) is clearly the principal motive in the integration discourse,<sup>15</sup> but as a strategy, integration did not focus on the prevention of war as such. Rather it looked at areas for functional cooperation, allowing structural change. European integration was about the administration of coal and steel industries, about subsidised agriculture, about an economic and monetary union, about the development of an *acquis communautaire*. Preventing war was the setting for action, not the stage the actors stood on, nor the script.

The EU policy laid down in the Gothenburg programme works the other way around. Here, functional cooperation (including integration, development cooperation and poverty reduction) is the setting, intended as a *long-term* policy of conflict prevention. The *short-term* policy deals directly with the prevention of war. Conflict prevention breathes an urgency that requires immediate action, and this indeed is the focus of the newly created European Commission's Conflict Prevention and Crisis Management Unit (CPCMU).

This unit, as well as the Gothenburg programme, set out as a part of the European Common Foreign and Security Policy (CFSP), which since the adoption of the so-called Petersberg Tasks in 1997 and the European Security and Defence Policy (ESDP) in 1999 is strengthening its military links. The Petersberg Tasks were adopted by the military impotent Western European Union (WEU) in 1992, and included peacemaking, that is crisis management with military means. At the Cologne Summit in June 1999, the ESDP was articulated in terms of these Tasks, legitimating the policy goal to develop "capacity for autonomous [EU] action, backed up by credible military forces (...) in order to respond to international crises without prejudice to actions by NATO".<sup>16</sup> Jan Karlas points out that the Petersberg Tasks do not include conflict prevention as such, but focus on crisis management.<sup>17</sup> He refers to Michael Lund's distinction between conflict prevention and crisis management as responses to different stages in a conflict, respectively before or during violence.<sup>18</sup> Moreover by putting conflict prevention in the institutional context of ESDP a military reasoning enters its logic.

14. Catherina Phuong, "Enlarging 'Fortress Europe': EU Accession, Asylum, and Immigration in Candidate Countries", *International and Comparative Law Quarterly*, Vol. 52, No. 3, 2003, pp. 641–664. Jaap H. De Wilde, "Fears into Fences: The Isolationist Pitfalls of European Federalism", in Stefano Guzzini & Dietrich Jung (eds.), *Contemporary Security Analysis and Copenhagen Peace Research*, (London: Routledge, 2004), pp. 180–192. On ENP: <[http://europa.eu.int/comm/world/enp/index\\_en.htm](http://europa.eu.int/comm/world/enp/index_en.htm)>.

15. Ole Wæver, "Identity, Integration and Security: Solving the Sovereignty Puzzle in EU Studies", *Journal of International Affairs*, Vol. 48, No. 2, 1995, pp. 389–431.

16. Annex III European Council Declaration on Strengthening the Common ESDP, art 1., <[http://europa.eu.int/council/off/conclu/june1999/annexe\\_en.htm#a3](http://europa.eu.int/council/off/conclu/june1999/annexe_en.htm#a3)>

17. Jan Karlas, "The ESDP-building Process and Conflict Prevention: Intergovernmental Policy-Making and Institutional Expertise", *Journal of International Relations and Development*, Vol. 8, No. 2, 2005, pp. 164–191, p. 170.

18. Michael Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy*, (Washington, DC: United States Institute of Peace Press, 1996), pp. 37–44.



The CPCMU's activities will consist of "fact-finding missions, monitoring missions, facilitators, election observation missions, human rights monitors, and special representatives".<sup>19</sup> Country Strategy Papers are its main output. This is a duplicate if not a take-over of the OSCE's tasks, and the Council of Europe too performs similar tasks. If this tendency persists, we may, looking at the huge difference in political and institutional power between them, expect that the OSCE will lose its meaning altogether within a decade. The same may be true for the Council of Europe, with perhaps the exception of the European Court for Human Rights.

In that process, the newly developed NGO-type of conflict prevention by the OSCE will be endangered. The context of the ESDP points out that conflict prevention by the EU is linked to the development of its military agenda, first of all the plans to create a European Rapid Reaction Force (ERRF). At the Helsinki Summit in December 1999, the so-called 'headline goal' was formulated to establish a fighting capacity of 60,000 troops, operational within sixty days for a period of at least one year by 2003. In 2000, at the Nice Summit, political-military support was created by setting up the Political and Security Committee (PSC), the EU Military Committee (EUMC) and the EU Military Staff (EUMS). As the integrated troop and command structures are created, politicians will be tempted to use them. If so, a discourse of crisis management, conflict prevention, pre-emption and human security will provide proper legitimisation. The name, *Rapid Reaction Force*, still fits the logic of military defence; its employment will probably reflect the pro-active logic of conflict prevention.

A verbal linkage between the military ERRF and non-military conflict prevention was established by forming the European Rapid Reaction Mechanism (ERRM). It was launched by the General Affairs Council in February 2001, based on a Commission proposal. Its mission so far is still fully dedicated to non-military tasks,<sup>20</sup> but it does so in the context of crisis management. In the list of its instruments, there is no direct reference to military means, police force or espionage, but the EU does list "the fight against terrorism" as one of its present conflict prevention missions. Moreover, their enumeration includes almost all the policy areas one can think of: trade policy, environmental policy, human rights policy, international financial policy, non-proliferation policy, arms control policy and inter-cultural dialogue.<sup>21</sup> All of these issue areas will get a EU conflict prevention component, and if 'rapid reaction' is required switching to the ERRF seems obvious. "Conflict prevention", the European Council says, "requires the combined use of various policies and instruments at the EU's disposal."<sup>22</sup>

## The Global Context of Conflict Prevention

It should be realised that the EU approach follows almost literally the UN policy on conflict prevention, as formulated in Resolution 1366 (2001). "Security Council

19. Council of the European Union, "Implementation of the European Union Programme for the Prevention of Violent Conflicts", Brussels, 9991/02, 18 June 2002.

20. Council Regulation (EC), No. 381/2001, 26 February 2001.

21. *Ibid.*

22. Council of the European Union, "Implementation of the European Union Programme for the Prevention of Violent Conflicts", Brussels, 9991/02, 18 June 2002.

expresses commitment to pursue conflict prevention 'by all appropriate means'" is the heading of the accompanying Press Release.<sup>23</sup> The UN also sketches a horizon for conflict prevention covering all fields of normal politics: "The primary focus of preventive action should be in addressing the deep-rooted socio-economic, cultural, environmental, institutional, political and other structural causes that often underlie the immediate symptoms of conflicts."<sup>24</sup>

What is the deeper meaning of this? Does the Security Council silently try to make conservatives and liberals embrace socialist ideals of equity and equality? Or does the Security Council try to sanction military operations in case the 'primary focus' of conflict prevention has failed?

A final answer is hard to give, and probably both options are true. The Report of the International Commission on Intervention and State Sovereignty (ICISS), for example, is a clear and honest attempt to increase the responsibility of sovereign states to protect their citizens. The report argues that sovereign states share this responsibility. If an individual state fails to live up to its obligations, either because it is a failed state or a rogue state, it becomes the obligation of the other states to intervene.<sup>25</sup> But, if adopted, this means that attempts at conflict prevention in an early stage ultimately are backed up by military intervention. The 'obligation to intervene' implies that military threats enter the conflict prevention discourse. Prevention and intervention get linked. This is even more the case when the political-military authorities of an organisation are the ones deciding on both prevention and intervention, which in the UN is the case.

In the EU, the coordination of conflict prevention formally rests with the European Council, but in practice with the PSC of the Council's secretariat. That committee of national representatives at ambassador level is the principal nodal point in the web, and links developments in CFSP and ESDP. The Council has drafted a 'watch-list' of 120 countries – in other words, there are only some seventy countries *not* watched by the EU from a conflict prevention perspective. The information will be gathered mainly through the Policy Planning and Early Warning Unit, the EU Military Staff Intelligence Division, and the Joint Situation Centre. The EUMC of Chiefs of Defence advises the PSC on all military aspects. All in all this shows a strong presence of a military dimension in EU conflict prevention. The EU is stimulated to do so because of its competitor in Europe: NATO. Moreover, the UN legitimises this development in Resolution 1366. This Resolution argues that conflict prevention is primarily a Chapter VI activity, but it also opens the door to enforcement actions under Chapter VII: "Conflict prevention is an activity best undertaken under Chapter VI of the Charter. (...) It must also be recognised that certain measures under Chapter VII of the Charter, such as sanctions, can have an important deterrent effect."<sup>26</sup>

Within NATO, the linkage between conflict prevention and military action is more obvious than in the EU, and comes close to the 'peace is our profession' rhetoric. The NATO Logistics Handbook mentions "preventive deployment

23. UN-SC Press Release SC/7131.

24. *Ibid.*

25. ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, (Ottawa: International Development Research Centre for ICISS, 2001); <www.iciss.gc.ca>; Ramesh Thakur, "Intervention, Sovereignty and the Responsibility to Protect: Experiences from ICISS", *Security Dialogue*, Vol. 33, No. 3, 2002, pp. 323–340.

26. UN-SC Press Release SC/7131.

(...) of multinational forces to areas of potential crisis" as one of the means for conflict prevention.<sup>27</sup> In principle this seems quite obvious: when a crisis is on the horizon, one has to intervene if one has the means. Hence the means should be developed, a matter of hardware. However, as soon as a decision to deploy military means is considered problems of proportionality arise, as well as the kind of mandate troops will get, and how setbacks, like kidnappings and assaults, are distinguished from intolerable escalations. There is a substantial risk here that conflict prevention gets blurred with the logic of the Bush Doctrine of preventive warfare. The risk of blurring consists of two elements: losing the distinction between prevention and pre-emption, and losing the distinction between collective interests and national interests. Together they may upset the established principles of 'just war theory'.

By definition preventive warfare is unjust according to 'just war theory', because warfare ought to be the policy of last resort, meaning that non-military alternatives need to be exhausted.<sup>28</sup> Pre-emptive strike is allowed "to quell or mitigate an impending strike by an adversary".<sup>29</sup> Traditionally, this was clearly distinguished from preventive strike, which is based on much loser suspicions. Kegley and Raymond clearly show how the Bush Administration has blurred this distinction in the 2002 "National Security Strategy of the United States of America", and applied preventive warfare against Iraq. "Preventive war doctrines can lead to limitless war-making under the ever-expanding logic of prevention", Neta Crawford warns.<sup>30</sup> Adding a military component to the logic of conflict prevention may create seamless continuity between humanitarian concerns, conflict prevention blended with military means, the self-interest of third parties, and preventive warfare.

### Ministries of Conflict Prevention?

Sending observers and mediators is possible without the risk of becoming one of the conflicting parties yourself. However, as soon as the EU, the UN, the USA, ECOWAS, NATO or whatever the conflict-preventor is called, sends troops a party has been added to the conflict. If originally there were two parties, after 'preventive deployment' there will always be three. Military presence changes the strategic and tactical positions of the conflicting factions. Only supreme military power, hence massive deployment in an early stage, can overlay the original conflict dynamics (at least in theory; asymmetric warfare can cause long-lasting trouble, as experiences in Afghanistan and Iraq attest). As soon as military presence is considered, this should be labelled an intervention policy, not a prevention policy.

In principle, calling military action 'preventive deployment' should be superfluous in all cases: military intervention is, according to diplomatic discourse since

27. NATO Logistics Handbook, Chapter 5, par. 504. See also: Strategic Concept of 1991: Part III.5 "Management of Crisis and Conflict Prevention". UN Resolution 1366 likewise refers to 'preventive employment' without explaining what is meant.

28. For an excellent recent update of Just War Theory see: Mark Evans (ed.), *Just War Theory: A Reappraisal*, (Edinburgh: Edinburgh University Press, 2005).

29. Charles W. Kegley & Gregory A. Raymond, "Preventive War and Permissive Normative Order", *International Studies Perspectives*, Vol. 4, No. 4, 2003, pp. 385–394: p. 388.

30. Neta C. Crawford, "The Justice of Preemption and Preventive War Doctrines", in Evans, *op. cit.*, pp. 25–49; p. 41.

the First World War, *always* intended to prevent worse developing. When the OSCE or the Council of Europe apply conflict prevention techniques, distance is assured, since the means to intervene do not exist. In case of the UN, NATO or great power military involvement, intervention may lure. The EU is crossing a bridge by out-competing rival IGOs in both the field of conflict prevention and defence cooperation. By developing ESDP the EU becomes a military organisation, like NATO.<sup>31</sup> As a consequence its policies tend more towards the NATO interpretation of conflict prevention than to the OSCE interpretation; EU conflict prevention embraces crisis management.

It will be interesting to notice in which direction the Conflict Prevention Associates (CPA) will guide or advise the EU. The CPA is a think-tank funded by the European Commission that continues the work of the Conflict Prevention Network (1997–2001). In striking and welcome contrast to the about one hundred websites about conflict prevention organisations and initiatives surveyed, the CPA website gives a definition of conflict prevention<sup>32</sup>: “Conflict Prevention is here understood as to include any structural or interactive means to keep intrastate or interstate tensions and disputes from escalating into significant violence, to strengthen the capabilities to resolve such disputes peacefully, and to alleviate the underlying problems that produce them in the first place.”<sup>33</sup> The subsequent list of useful means imitates that of the United Nations, and includes more heavy types of intervention, such as sanctions and preventive military deployment. The broad definition, in particular the reference to ‘any structural or interactive means’, also lifts the conceptual differences between ‘prevention’ and ‘intervention’.

However, conflict prevention is better served with a rather limited non-military interpretation. This would entail a definition of each type of interference beyond mediation in terms that correspond with the means actually deployed. The objective (conflict prevention) should not be confused with the means (military intervention).

Conflict prevention is a slippery concept. It has the connotation of ‘urgency’, which puts it in the same set of terms like ‘security’, the ‘national interest’, and ‘vital interests’. Buzan, Wæver and De Wilde have analysed this in terms of a speech act approach.<sup>34</sup> By calling something a security issue, this issue is put at the top of the agenda. This can even legitimate extra-ordinary measures that overrule standard decision-making procedures. This process of pushing issues is called *securitisation*. The term conflict prevention fits this practice: we have to act before it is too late! The term, however, tells you nothing about the criteria at stake.

The second connotation that turns it into a slippery concept is the positive aura of the term. Who can be against conflict prevention? Moreover, conflict prevention is not initiated for one’s own good, but is a form of Christian charity; it is for the

31. Obviously, ESDP is no match for NATO’s operational capabilities. But, following the step by step development of the Economic and Monetary Union (EMU), the ESDP has set the stage for piecemeal creation of EU ‘hard power’.

32. In academic literature, conflict prevention is poorly defined too. Most publications consist of case studies in which a near-conflict escalates or is successfully averted.

33. <[www.conflict-prevention-associates.org](http://www.conflict-prevention-associates.org)>.

34. Barry Buzan, Ole Wæver & Jaap De Wilde, *Security: A New Framework for Analysis*, (Boulder, Col.: Lynne Rienner, 1998).

other's good. Conflicting parties, heated by emotions and blinded by deep hatred of each other, need to be calmed down and be brought back to reason, perhaps even to a mutual understanding. In short, a Helsinki process needs to be established between them – like the “Oslo Process” and the “Road Map” tried to do between Israel and the Palestinians.

The first connotation opens Orwell's backdoor. The second connotation easily leads to a ‘hell of good intentions’. In particular, the combination should be feared. Prevention policies are more active than defence policies. Rapid action is needed to prevent worse: armies, police and secret services are deployed in order to prevent that they need to be deployed. Whether the worst case was really averted that way, we can never know in advance.

Even in the most compelling cases the need for preventive action can only be proved in a negative way. It is widely argued that the international community of states could have prevented genocide in Rwanda in 1994, if it had interfered.<sup>35</sup> With hindsight intervention would indeed have been legitimate and necessary. There is even an obligation in international law to do so. The ‘responsibility to protect’, advocated by the ICISS, is already part of the United Nations “Convention on the Prevention and Punishment of the Crime of Genocide”.<sup>36</sup> But how would we today evaluate the situation in Rwanda had the genocide been prevented, thanks to a massive military intervention? Probably some history books would talk about the re-colonisation of Rwanda under the pretext of preventing genocide.

Ramesh Thakur draws a comparison of the Rwanda case with the intervention in Kosovo in 1999 that did take place: here “NATO launched a ‘humanitarian war’ without UN authorisation”, because the Security Council was not convinced that prevention of genocide was at stake.<sup>37</sup> Security Council indecision points at the thin line between humanitarian concerns and national self-interests in such cases. If Kosovo is at the humanitarian side of the line, the preventive war of the USA against Iraq in April 2003 is clearly on the self-interest side. The rhetoric of prevention, however, is the same. In face of terrorism, President George W. Bush talked about the need to “confront the worst threats before they emerge”<sup>38</sup> – sufficient reason to remove the Taliban regime in Afghanistan – while the presumed threat of weapons of mass destruction by the Saddam Hussein regime was so urgent that waiting for the UN Reports by Hans Blix's inspection team would have been irresponsible: “Facing clear evidence of peril, we cannot wait for the final proof – the smoking gun – that could come in the form of a mushroom cloud”.<sup>39</sup> The Bush doctrine, laid down in the National Security Strategy of the USA (2002), shows the extreme consequence inherent in all ‘preventive action’ logic: its legitimisation rests on counterfactual history.

Given the speculative nature of counterfactual history, the uncertainties inherent in risk analyses become weightier the stronger the means of preventive action are. The first concern of preventive action should always be about the immediate costs of the action one is about to take, balanced against the immediate

35. See: Albert J. Jongman (ed.), *Contemporary Genocides: Causes, Cases, Consequences*, (Leiden, PLOOM, 1996).

36. UN Resolution 260 A (III), General Assembly, 9 December 1948; emphasis added.

37. Thakur, *op.cit.*, p. 324.

38. George W. Bush, West Point Speech, <[www.whitehouse.gov/news/releases/2002/06](http://www.whitehouse.gov/news/releases/2002/06)>

39. George W. Bush, Cincinnati Speech, <[www.whitehouse.gov/news/releases/2002/10](http://www.whitehouse.gov/news/releases/2002/10)>

costs of inaction – the higher the level of intrusion the more concrete the costs of inaction need to be known. In climbing the ladder of involvement switching vocabulary from ‘prevention’ to ‘intervention’ would help to avoid Orwellian newspeak. No one can oppose the logic of prevention, but the logic of intervention allows debate about pros and cons.

Conflict prevention in the hands of civil organisations, by non-military and non-policing means – described here as the OSCE line of action – should be cheered, although these initiatives can also be called by their traditional names: development cooperation and diplomatic mediation. In the conflict prevention literature distinctions are made between ‘structural’ or ‘thick prevention’ and ‘operational’ or ‘thin’ prevention.<sup>40</sup> “*Thick prevention* attempts to avert violent conflict in the long term by dealing with the root causes of a dispute. The principal aim is to build liberal societies that are able to resolve their disputes without recourse to violence”<sup>41</sup> Note the Western self-interest implied in this definition – the thin line mentioned above. The techniques mentioned by Bellamy *et al.* to deal with the root causes are all non-military tools of development policies (such as debt relief, promotion of good governance, improving local infrastructure). “*Thin prevention* attempts to avert violent conflict that is threatened in the short term without addressing root causes. (...) Techniques include: early warning, preventive diplomacy, economic sanctions, financial inducements, aid conditionality, deployment of peacekeepers.”<sup>42</sup> By this deployment they do not seem to imply peace enforcement, that is military intervention, but the distinction is blurred. They refer to UN Secretary-General Boutros Boutros-Ghali’s *An Agenda for Peace* (1995) in which military deployment before violence breaks out are put on the agenda.

Because of the difficulty to determine when military involvement becomes self-interested intervention, it would be better to exclude military and police action from the definition of conflict prevention. As soon as a third party uses or threatens to use violence, this party becomes part of the conflict, hence *intervention* is the proper name. Moreover, exclusion of the use of violence makes it easier to live with the ‘hell of good intentions’, the second pitfall of conflict prevention politics.

This ‘hell’ consists firstly of the problem of arbitrariness. Which conflicts qualify for conflict prevention? Taking 2002 as a criterion, there are at least 459 manifest candidates. Berto Jongman’s *World Conflict and Human Rights Map 2001/2002* lists 284 cases of *political tension*, 175 situations of *violent political conflict*, 79 *low-intensity conflicts* and 23 *high-intensity conflicts*.<sup>43</sup> These last two categories have long passed the phase of conflict prevention. Hence, the map implies an *early warning* for 459 situations. Dealing with all of them implies a kind of world war.

Secondly, mediation can fail. The Oslo Peace process is a tragic example. Failure means that moderate-minded politicians are sidelined for the time being. Failed mediation will stimulate escalation. What if the mediating party in

40. Alice Ackermann, “The Idea and Practice of Conflict Prevention”, *Journal of Peace Research*, Vol. 40, No. 3, 2003, pp. 339–347. Alex J. Bellamy, Paul Williams & Stuart Griffin, *Understanding Peacekeeping*, (Cambridge: Polity Press, 2004), pp. 253–255.

41. Bellamy, *et al.*, *op. cit.*, p. 255.

42. *Ibid.*

43. Berto Jongman, *World Conflict and Human Rights Map 2001/2002*, (PIOOM in cooperation with the European Centre for Conflict Prevention and the Forum on Early Warning and Early Response, 2002).

such a situation had decided to support its attempt with 'preventive military deployment'? Could it simply withdraw its troops, and say sorry? Or will it get more deeply involved in the conflict? So far, the peace-building efforts in Iraq and Afghanistan do not give grounds for much optimism.

Thirdly, conflicting parties will start calculating on external interference. By heightening the tension in a local conflict and by manipulating the media they increase the chances that the international community feels forced to prevent further escalation. The *underdog* in the conflict can expect much from outside (preventive) intervention.

All in all, there is ample reason to follow the conflict prevention discourse sceptically. If a conflict ran out of hand, one would look back with dismay at missed chances to prevent escalation. But the mere *expectation* that a conflict will escalate can not possibly provide a similar legitimisation. In Steven Spielberg's *Minority Report* (2002) the PreCrime Department sentences people to life imprisonment on the basis of a murder they are about to commit.<sup>44</sup> A department of conflict prevention could well be tempted to do the same.

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44. The film is based on Philip K. Dick's short story "Minority Report", *Fantastic Universe*, January 1956.